

IC 32-32-2

Chapter 2. Definitions

IC 32-32-2-1

Applicability of definitions

Sec. 1. The definitions in this chapter apply throughout this article.
As added by P.L.2-2002, SEC.17.

IC 32-32-2-2

"Camping club" defined

Sec. 2. "Camping club" means any enterprise, other than one that is tax exempt under Section 501 of the Internal Revenue Code, that has as its primary purpose camping or outdoor recreation that involves or will involve camping sites.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-3

"Camping club member" defined

Sec. 3. "Camping club member" means any person, other than the developer or lender, who purchases a camping club membership.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-4

"Camping club membership" defined

Sec. 4. (a) "Camping club membership" means an agreement evidencing a purchaser's title to, interest in, or right or license to use for more than thirty (30) days the camping or outdoor recreation facilities of a camping club.

(b) The term does not include an agreement of a camping or outdoor recreation facility that expires within three hundred sixty-five (365) days after the execution date of the agreement.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-5

"Camping site" defined

Sec. 5. "Camping site" means a space that:

(1) is designed and promoted for the purpose of locating a trailer, tent, tent trailer, pickup camper, or other similar device used for land based portable housing; and

(2) is the subject of a camping club membership.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-6

"Developer" defined

Sec. 6. "Developer" means any person who engages in the business of creating or selling its own time shares or camping club memberships.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-7

"Director" defined

Sec. 7. "Director" refers to the director of the division appointed under IC 4-6-9-2.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-8

"Division" defined

Sec. 8. "Division" refers to the consumer protection division of the office of the attorney general created by IC 4-6-9-1.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-9

"Exchange company" defined

Sec. 9. "Exchange company" means any person owning or operating an exchange program.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-10

"Exchange program" defined

Sec. 10. (a) "Exchange program" means any arrangement allowing owners to exchange occupancy rights with persons owning other time shares or camping club memberships.

(b) The term does not include an arrangement in which all of the occupancy rights that may be exchanged are in the same time share property or camping site.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-11

"Offer" defined

Sec. 11. "Offer" means any advertised inducement, solicitation, or attempt to encourage any person to acquire a time share or camping club membership other than as security for an obligation.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-12

"Participant" defined

Sec. 12. "Participant" means any person who, by means of a verbal or written purchase, exchange, or leasing agreement, acquires a right to occupy a time share unit from a developer, purchaser, exchange company, rental or management company, or any other person or organization.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-13

"Person" defined

Sec. 13. "Person" means a natural person, a corporation, a government, a governmental subdivision or agency, a business trust, an estate, a trust, a partnership, an association, a joint venture, or another legal or commercial entity.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-14

"Project" defined

Sec. 14. "Project" means the real property, which must contain more than one (1) unit, in which time shares or camping sites are created by a single instrument or set of instruments.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-15

"Project manager" defined

Sec. 15. "Project manager" means any person:

- (1) who coordinates the sale of time shares or camping club memberships; and
- (2) to whom sales agents and representatives are responsible.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-16

"Purchaser" defined

Sec. 16. "Purchaser" means any person, other than the developer or lender, who purchases a time share or camping club membership.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-17

"Representative" defined

Sec. 17. (a) "Representative" means a person who is not a seller and who, on behalf of a developer, induces other persons to attend a sales presentation.

(b) The term does not include a person who only performs clerical tasks, arranges appointments set up by others, or prepares or distributes promotional materials.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-18

"Seller" defined

Sec. 18. "Seller" means a developer or any other person or agent or employee of a developer who offers time shares or camping club memberships to the public.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-19

"Substantially completed" defined

Sec. 19. "Substantially completed" means that:

- (1) all roadways, utilities, amenities, furnishings, appliances, structural components, and mechanical systems of buildings and premises are completed and provided as represented in the time share instrument or agreement or camping club membership agreement; and
- (2) the premises are ready for occupancy and the proper governmental authority has caused to be issued a certificate of occupancy, if a certificate of occupancy is required.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-20

"Time share" defined

Sec. 20. "Time share" means the right to use and occupy a unit on a periodic basis according to an arrangement allocating this right among various time share participants.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-21

"Time share instrument" defined

Sec. 21. "Time share instrument" means any document creating or regulating time shares, excluding any law, ordinance, or governmental regulation.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-22

"Time share participant" defined

Sec. 22. "Time share participant" has the meaning set forth in section 12 of this chapter.

As added by P.L.2-2002, SEC.17.

IC 32-32-2-23

"Unit" defined

Sec. 23. "Unit" means each portion of a time share project or each camping site that is designated for separate use.

As added by P.L.2-2002, SEC.17.